

Town Board Minutes

**Meeting
No. 19**

Regular Meeting

June 18, 2007

Town Board Minutes

June 18, 2007

Meeting No.19

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 18th day of June 2007 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- appointment to title of "Working Crew Chief" and the number of "Working Crew Chief" titles in the Highway Department
- alcohol & drug problems in our community

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- number of "Working Crew Chief" titles
- wetlands and floodplains in Windsor Ridge South Subdivision

Hoffman, Terry, 6 Fox Tracc, spoke to the Town Board on the following matter:

- title of "Working Crew Chief"

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matters:

- drug problems in schools
- subdivision on West Home Road
- dust from construction at NEC Transit/William

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matter:

- drug & alcohol abuse

Lukowski, Donna, 129 Brunck Road, spoke to the Town Board on the following matters:

- thanks Town for help with her drainage issues
- wetlands within Windsor Ridge South Subdivision

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- building permits
- Pleasant Meadows Subdivision
- Heritage Trail
- Cemetery Road bridge

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
June 4, 2007 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Justices Timothy Dwan and J. Michael Kelleher, of the Justice Department of the Town of Lancaster have requested the creation of one (1) additional position of Court Officer/Bailiff, part time in the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one additional (1) position of Court Officer/Bailiff, part time in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the developer of Wainwright Court Subdivision has determined that the Town of Lancaster is not the record owner of title of a paper street running from the existing terminus of Wainwright Court to North Maple Drive, and

WHEREAS, there is a need to provide an easement to the County of Erie, Sewer District 4 for purposes of the developer placing a sanitary sewer line which will be dedicated to Erie County Sewer District 4, and

WHEREAS, the Town Attorney has advised the Town Board that the method which can be employed to provide access over this untitled paper street is for the Town to provide an Easement by Quit Claim from the Town to the County of Erie, and

WHEREAS, the Town Board deems it in the public interest to provide for such Easement by Quit Claim;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute an Easement by Quit Claim from the Town of Lancaster to the County of Erie over a paper street which is the untitled portion of the existing Wainwright Court to its terminus to its intersection with North Maple Drive.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: rwainwrightcourtsubdivision607

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance offers funding to municipalities through the Edward Byrne Memorial Discretionary Grants Program, and

WHEREAS, the Town of Lancaster Police Department, is interested in acquiring 14 new tactical vests, 14 ballistic chest plate inserts, and 14 ballistic chaps leg protection units for the S.W.A.T. team at an approximate cost of \$39,942, and

WHEREAS, all applications must be completed electronically on-line.

NOW, THEREFORE, BE IT

RESOLVED, that upon award of said grant, the Town will commit matching funds in an amount not to exceed \$4,000, and

BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to extend permission to Grantmakers Advantage, Inc., the Town's grant consultant, to complete the grant application on-line to the Bureau of Justice Assistance for this purpose.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Bowen Road Acquisition, LLC 5775 Broadway, Lancaster, New York 14086 has applied for a Dumping Permit for property situate at Logan Lane, Parkhaven Patio Homes, Bowen Road within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board, and

WHEREAS, the source of the fill is Steinfeldt Road, as stated by the applicant on the application dated June 6, 2007.

NOW, THEREFORE, BE IT

RESOLVED, that Bowen Road Acquisition, LLC 5775 Broadway, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at Logan Lane, Parkhaven Patio Homes, Bowen Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	RECUSED
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, an opening exists in the Recreation Department for a part-time Senior Citizen Recreation Attendant, due to the sudden death of Jonathan Francis, and

WHEREAS, General Crew Chief Terrence McCracken, by letter dated June 13, 2007, has recommended the appointment of Adam Myszka, 495 Lake Avenue, Lancaster, New York to fill the position of Recreation Attendant, part-time at the Senior Citizens Center.

NOW, THEREFORE, BE IT

RESOLVED, that Adam Myszka, 495 Lake Avenue, Lancaster, New York, be and is hereby appointed to the position of Recreation Attendant, part-time in the Senior Citizens Center, at an hourly rate of \$9.50, working not more than nineteen and three quarters (19 3/4) hours per week, with no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part-time employees. This appointment is effective June 19, 2007.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau by letter dated June 13, 2007, has recommended appointments for the Youth Bureau's Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs, and Summer Theater Workshop.

NOW, THEREFORE BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions in the Youth Bureau's Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs and Summer Theater Workshop effective June 18, 2007 through August 31, 2007, at the following rates:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Gregory Heer (rehire) 3611 Eric Trail Blasdell, NY 14219	Tutor	\$15.75 hr.
Denea Czapla (new hire) 90 Court St. Lancaster, NY 14086	Tutor	\$15.00 hr.
Kristin Reddien (rehire) 3901 Bowen Rd. #71 Lancaster, NY 14086	Tutor	\$15.75 hr.
Jennifer Huber (new hire) 2884 Main St. Buffalo, NY 14214	Tutor	\$15.00 hr.
Michelle Ebert (rehire) P.O. Box 437 Lake View, NY 14085	Tutor	\$15.50 hr.
Brett Miller (rehire) 5636 Broadway Lancaster, NY 14086	Tutor	\$15.50 hr.
Lynn Dalfonso (rehire) 60 Village View Lancaster, NY 14086	Choreographer Summer Theatre Workshop	\$16.25 hr.
Robert Pacillo (rehire) 124 College St. Buffalo, NY 14201	Music Director/Accompanist Summer Theatre Workshop	\$15.75 hr.
John Kaczorowski (rehire) 146 Park Forest Williamsville, NY 14221	Drama Director Summer Theatre Workshop	\$12.50 hr.

Cheryl Glose (rehire) 9 Country Place Lancaster, NY 14086	Technical Director Summer Theatre Workshop	\$16.25 hr.
Deborah Jasinski (new hire) 236 Christiana St. North Tonawanda, NY 14120	Music Director/Accompanist Summer Theatre Workshop	\$15.00 hr.
Jillian Tylenda (rehire) 250 North Creek Dr. Cheektowaga, NY 14225	Choreographer Summer Theatre Workshop	\$15.50 hr.
Alaina Zyhowski (rehire) 26 Running Brook Dr. Lancaster, NY 14086	Drama Assistant Summer Theatre Workshop	\$10.00 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for One (1)
new 2007 or newer Cargo Van for use by the Dog Control Department, and

WHEREAS, bids were received, opened and reviewed on June 7, 2007, and

WHEREAS, the Dog Control Officer by letter dated June 13, 2007, has
recommended award of the bid to BISON TRUCK CENTER INC., being the lowest
responsible bidder in the amount of \$15,997.16;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the
bid for One 2008 Ford Econoline E250 Cargo Van for use by the Dog Control Office to Bison
Truck Center Inc., 2370 Walden Avenue, Cheektowaga, New York in the total amount of
\$15,997.16 being the lowest responsible bidder in conformance with the specifications on file in
the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: rdogcontrolvan607

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Highway Superintendent has submitted a proposed Agreement to the Town Board of the Town of Lancaster for the expenditure of highway funds for the year 2007, pursuant to the requirements of the Highway Law of the State of New York, and

WHEREAS, the Highway Superintendent has advised that the allocation of money in the proposed Agreement for general repairs to be carried out includes the cost of labor and materials, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the proposal by the Highway Superintendent;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds for the year 2007, as submitted by the Superintendent of Highways.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: rhwyfnds607

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept a completed Public Improvement within Pleasant Meadows Subdivision III within the Town of Lancaster, and

WHEREAS, the Engineer has inspected the improvement and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated June 14, 2007 has requested the Town Clerk to prepare the resolution for acceptance of this public improvement.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvement within Pleasant Meadows Subdivision III be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 623 - Storm Sewer

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: RPIP (P13)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board is required by a Labor Arbitration Award made May 7, 2007 to appoint John Smith to the position of Working Crew Chief, and

WHEREAS, to comply with the award made by the arbitrator the Town will create a new position in the title Working Crew Chief retroactive to July 3, 2006 through the filing of a Form PO-17 (New Position Duties Statement) with the Erie County Personnel Department which department administers the New York State Civil Service Law for Erie County;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates a new position in the Working Crew Chief title, such title also having been transferred to the Blue Collar Collective Bargaining Unit by agreement between the CSEA, the White Collar Bargaining Unit, Blue Collar Bargaining Unit and the Town of Lancaster dated May 7, 2007, and, that the Supervisor of the Town of Lancaster (1) notify the Erie County Personnel Department that the position has been created by Town Board resolution and (2) file the requisite Form PO-17 (New Position Duties Statement) with Erie County Personnel Department for the creation of one (1) position in the Working Crew Chief title in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File:rarbitrationawards607

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, by a labor Arbitration Award made in an arbitration decision on May 7, 2007, Town employee John Smith was awarded appointment to the position of Working Crew Chief retroactive to July 3, 2006, and

WHEREAS, the Working Crew Chief title was also transferred from the CSEA White Collar Bargaining Unit to the CSEA Blue Collar Bargaining Unit by agreement between the Town, CSEA and the two respective bargaining units effective May 7, 2007, and

WHEREAS, the agreement to transfer the Working Crew Chief title to the Blue Collar Unit provides that all employees affected by the transfer into the Blue Collar Unit shall suffer no diminishment in benefits as a result of the transfer;

NOW THEREFORE, BE IT

RESOLVED, that John Smith is hereby appointed to the position of Working Crew Chief retroactive to July 3, 2006 and that John Smith shall suffer no diminishment in his accrued benefits as a result of his appointment to this title and the transfer of this title to the CSEA Blue Collar Bargaining Unit by virtue of the agreement between the Unions, the CSEA and the Town of Lancaster to so transfer the Working Crew Chief title from the White Collar Bargaining Unit to the Blue Collar Bargaining Unit, and

BE IT FURTHER

RESOLVED, that the Supervisor's Office report the seniority status of John Smith as Working Crew Chief to the Erie County Personnel Department as the first Working Crew Chief appointment effective as of July 3, 2006.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK. TO WIT:

WHEREAS, Superintendent Richard Reese in the Town of Lancaster Highway Department has requested that the Town Board authorize an invitation to bid for the milling and resurfacing of Partridge Walk and Squirrel Run and the resurfacing of West Home Road, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bid for the paving of several roads, involving milling and resurfacing of Partridge Walk and Squirrel Run and the resurfacing of West Home Road, said bids to be in conformance with the specifications which are available at the Highway Department, 525 Pavement Road and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on July 2, 2007 and opened thereafter.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER GIZA	VOTED YES

June 18, 2007

File: roadwayconstruction607

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M., Local Time, on the 2nd day of July 2007, for milling and resurfacing of Partridge Walk and Squirrel Run and the resurfacing of West Home Road, said bids to be in conformance with the specifications which are available at the Highway Department, 525 Pavement Road, Lancaster, New York.

A certified check or bid bond in the amount of One Thousand Dollars (\$1,000.00) payable to the Supervisor of the Town of Lancaster and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY:

**JOHANNA M. COLEMAN
Town Clerk**

June 18, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 8701 to Claim No. 8962 Inclusive

Total amount hereby authorized to be paid: \$244,013.30

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

14669	Rappold, Renee	4 Kennedy Ct	Er. Shed	
14670	Rappold, Renee	4 Kennedy Ct	Er. Fence	
14671	Cam Services	455 Central Ave	Er. Pool-Abv Grnd	
14672	Creative Fence Co	43 Doris Ave	Er. Fence	(V/L)
14673	Out-Back Builders	681 Pleasant View Dr	Er. Shed	
14674	Antilla, James	118 Stony Rd	Er. Shed	
14675	Avalon Services	169 Peppermint Rd	Er. Pool-Abv Grnd	
14676	Wittman, James	714 Pavement Rd	Er. Shed	
14677	Garrison, Gerald	3534 Bowen Rd	Er. Deck	
14678	Colley's Pool Sales	49 Michael's Walk	Er. Pool-In Grnd	
14679	Leisurewood Decks	23 Apple Blossom Blvd	Er. Deck	
14680	Iroquois Fence Inc	8 Ravenwood Dr	Er. Fence	
14681	Iroquois Fence Inc	16 Beatrix Cir	Er. Fence	
14682	Duro-Shed Inc	3581 Bowen Rd	Er. Shed	
14683	Forbes-Capretto Homes	38 Sawgrass Ln	Er. Dwlg.-Sin.	
14684	Sameoc Recreation	5077 Transit Rd	Er. Sign-Temp	
14685	Duro-Shed Inc	5 Biscayne Dr	Er. Shed	
14686	Slivan Pool & Const.	11 Traceway	Er. Pool-Abv Grnd	
14687	Barnes, Harrison	81 Woodlawn Ave	Er. Shed	(V/L)
14688	Sprinkle, Mark	105 Norris Ave	Er. Fireplace	(V/L)
14689	Colley's Pool Sales	26 Nicholas Ln	Er. Pool-In Grnd	
14690	Majestic Pools Inc	31 Westwood Rd	Er. Pool-In Grnd	
14691	Bates, Martin	33 Beach Ave	Er. Shed	(V/L)
14692	Evans, James Jr	6154 Broadway	Er. Fence	
14693	Duro-Shed Inc	40 Rue Madeleine Way	Er. Shed	
14694	Iroquois Fence Inc	16 Lancaster Ave	Er. Fence	(V/L)
14695	Duro-Shed Inc	25 Stream View Ln	Er. Shed	
14696	Hatt, Gerald Jr	2109 Como Park Blvd	Er. Pole Barn	(V/L)
14697	Rich Pools	5 Dorchester Ct	Er. Pool-Abv Grnd	
14698	Iroquois Fence Inc	2 Woodgate Dr	Er. Fence	
14699	Konieczny, Lester	103 Burwell Ave	Er. Res. Alt.	(V/L)
14700	C J Krantz Top Soil	4106 Walden Ave	Er. Sign-Temp	
14701	Chojnacki, Christopher	150 Siebert Rd	Er. Res. Add.	
14702	North Forest Dev.	2809 Wehrle Dr	Er. Sign - Suite #8	
14703	Fiorella, Dennis	258 Aurora St	Er. Shed	

14704	Bison Fence Inc	0 Bowen Rd	Er. Fence	
14705	Marrano/Marc Equity	10 Sweet Brier Ct	Er. Dwlg.-Sin.	
14706	Marrano/Marc Equity	41 Chicory Ln	Er. Dwlg.-Sin.	
14707	Marrano/Marc Equity	43 Chicory Ln	Er. Dwlg.-Sin.	
14708	Crist Construction	8 Thomas Dr	Er. Res. Add.	
14709	Majestic Pools Inc	31 Westwood Rd	Er. Fence	
14710	Ryszkiewicz, Ronald	88 Schlemmer Rd	Er. Shed	
14711	Wutz, Donald	58 Court St	Er. Shed	(V/L)
14712	Duro-Shed Inc	30 Michael's Walk	Er. Shed	
14713	B & B Fence Co	3481 Walden Ave	Er. Fence	(V/L)
14714	Pulaski, Stanley	1724 Como Park Blvd	Er. Res. Add.	
14715	Adema, Alex	44 E Home Rd	Er. Deck	
14716	Protas, Adam	31 Stony Brook Dr	Er. Deck	
14717	Duro-Shed Inc	49 Livingston St	Er. Shed	(V/L)
14718	Jones, David	52 Village View	Er. Pool-Abv Grnd	
14719	Makowski, Jeffrey	17 Harold Pl	Er. Pool-Abv Grnd	(V/L)
14720	Jandzinski, Michael	35 Ann Marie Dr	Er. Shed	
14721	Markel, Paul	65 Nichter Rd	Er. Deck	
14722	Poss, Kevin	1 Bradley Dr	Er. Shed	
14723	Zaniewski, Anna	721 Aurora St	Er. Shed	
14724	Majestic Pools Inc	63 Old Post Rd	Er. Pool-In Grnd	
14725	Majestic Pools Inc	63 Old Post Rd	Er. Fence	
14726	Cox, Bonnie	19 Elm Pl	Er. Res. Alt.	(V/L)
14727	Szwartz, Dennis	51 Cowing St	Er. Fence	(V/L)
14728	Indoor Air Professionals	800 Commerce Pkwy	Inst. Tank	(V/L)
14729	Strasser, Lawrence	15 Burwell Ave	Er. Res. Add.	(V/L)
14730	Ball, Allen	3 Schiffler Ct	Er. Deck	
14731	Forbes-Capretto Homes	3 Muirfield Ln	Er. Dwlg.-Sin.	
14733	Rich Pools	398 Seneca Pl	Er. Pool-Abv Grnd	
14734	E- Press Sign Systems	6623 Transit Rd	Er. Sign-Wall	
14735	Modemcraft Home Imprv	23 Chestnut Corner	Er. Res. Alt.	
14736	Bartlett, Kenneth	138 Stony Rd	Er. Pool-Abv Grnd	
14737	Kusowski, Mark	92 Fourth Ave	Er. Deck	(V/L)
14738	Duro-Shed Inc	182 Nathan's Trl	Er. Shed	
14739	Rich Pools	33 Signal Dr	Er. Pool-Abv Grnd	
14740	Griffin, Stephen	110 Irwinwood Rd	Er. Deck	(V/L)
14741	Sun Enterprises Inc	26 Red Clover Ln	Er. Shed	
14742	Colley's Pool Sales Inc	196 Nathan's Trl	Er. Pool-In Grnd	
14743	Colley's Pool Sales Inc	196 Nathan's Trl	Er. Fence	
14744	Rau, John	52 Fourth Ave	Er. Fence	(V/L)
14745	Shaw, Keri	44 Garfield St	Er. Fence	(V/L)
14746	Duro-Shed Inc	19 Trentwood Trl	Er. Shed	
14747	City Fence Inc	17 Parkdale Dr	Er. Fence	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolutions:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO,
SECONDED BY COUNCIL MEMBER STEMPNIAK, a suspension was granted.

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated June 15, 2007, has requested the appointment of a laborer, part-time seasonal to work in the Highway Department for the summer season.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be appointed to the position of laborer part-time, seasonal for the Summer season in the Highway Department. That this appointment shall be effective June 19, 2007, and that this being a part time position provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees.

NAME	RATE
Timothy Salvatore 15 Parkdale Drive, Lancaster	\$8.50 per hour

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to request proposals for professional engineering services related to water system improvements at various locations throughout the Town, and

WHEREAS, the Town consulting engineer, Wm. Schutt & Associates, P.C. has drafted an RFP to engage one or more professional engineering firms to assist the Town on proposed contracts TLN-3 and TLN-4 of the Water Improvement Project, and

WHEREAS, the Town Board deems it to be in the public interest to request proposals for professional engineering services for the design of the public water mains, construction administration and resident inspection;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Town of Lancaster hereby authorizes the invitation for Requests For Proposals (RFP) for professional engineering services related to water system improvements at various locations throughout the Town, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof, and

BE IT FURTHER

RESOLVED, that copies of the Requests For Proposals (RFP) be made available at the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086. Proposals are due on or before July 16, 2007 at 10:00 a.m.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

**LEGAL NOTICE
NOTICE OF INVITATION
REQUEST FOR PROPOSALS
FOR PROFESSIONAL ENGINEERING SERVICES**

Proposals are requested by the Town of Lancaster for professional engineering services related to water system improvements at various locations throughout the Town. Copies of the Request for Proposals may be obtained from the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086. Proposals are due on or before July 16, 2007.

TOWN OF LANCASTER

June 18, 2007

By

**JOHANNA M. COLEMAN
TOWN CLERK**

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, Bergman Associates has submitted the design approval document
for the Heritage Trail project, and

WHEREAS, the Town Board has to adopt the preferred alternative design in
order to continue the allocation of funding from the federal grant;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts the design approval document
prepared by Bergman Associates for the Heritage Trail project.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 18, 2007

File: rheritagetrail607

COMMUNICATIONS & REPORTS:

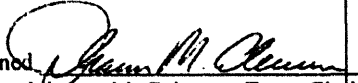
- 312. Town Clerk to Town Board -
Notice of fourth settlement of 2007 County/Town Tax Warrant. DISPOSITION = Received & Filed
- 313. Emergency Management Coordinator to Town Board -
Minutes of Safety Steering Committee meeting held May 15, 2007. DISPOSITION = Received & Filed
- 314. Town Clerk to Town Board -
Transmittal of monthly report for May 2007. DISPOSITION = Received & Filed
- 315. Village of Lancaster to Town Board -
Notice of closing of certain streets on June 10, 2007 for Car and Cycle Show.
DISPOSITION = Received & Filed
- 316. Erie County Department of Environment & Planning to Supervisor -
Notice regarding representation by Town on the Erie County Environmental Management Council. DISPOSITION = Received & Filed
- 317. Ambassador Bridge to Mayor, Fort Erie, Ontario -
Response to a letter to the editor in the Fort Erie Times. DISPOSITION = Received & Filed
- 318. NYS Banking Department to Town Board -
Notice of conference regarding "Halt Abusive Lending Transactions" to be held June 28, 2007, 8:30 AM in Buffalo. DISPOSITION = Received & Filed
- 319. NYS Assembly to Town Board -
Notice of public hearing to be held June 12, 2007 in Albany regarding the status of the Empire Zone Program. DISPOSITION = Received & Filed
- 320. Concerned Citizens to Town Board -
Petition requesting stop sign at northwest corner of Siebert and Brunck Roads.
DISPOSITION = Received & Filed
- 321. Erie County Department of Environment & Planning to Residents of Old Schoolhouse Road and William Street -
Letter explaining delay in the installation of sanitary sewers in Old Schoolhouse/William Street area. DISPOSITION = Received & Filed
- 322. Lancaster Rural Cemetery Association to Town Board -
Letter of appreciation for financial support to the cemetery. DISPOSITION = Received & Filed
- 323. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held June 6, 2006. DISPOSITION = Received & Filed
- 324. Planning Board to Town Board -
Recommend approval of site plan for Russ Salvatore Development, Transit Road, north of Freeman Road, south of Wehrle Drive; conditions noted. DISPOSITION = Planning Committee
- 325. Planning Board to Town Board -
Recommend approval of site plan for Multi-Tenant Building, n.w. corner of William Street and Aurora Street; conditions noted. DISPOSITION = Planning Committee

326. NYS Department of Agriculture and Markets to Town Board -
Letter regarding Request for Proposals to solicit state assistance payments for Farmland Protection Implementation Projects. DISPOSITION = Received & Filed
327. Erie County Executive to New York State Governor -
Request for consolidation of E-911 Public Safety Answering Points. DISPOSITION = Received & Filed
328. NYS DEC to Town Attorney -
Notification of lead agency designation regarding Russ Salvatore Development, 6931 Transit Road; comments noted. DISPOSITION = Planning Committee
329. Town Justices to Supervisor, Town Board -
Request for additional Court Officer, part time for Town Court. DISPOSITION = Resolution 6/18/07
330. Building Inspector, Town Engineer to Town Board -
Recommend approval of dumping permit application for Parkhaven Patio Homes Subdivision. DISPOSITION = Resolution 6/18/07
331. Highway Superintendent to Town Board -
Request bids for resurfacing of certain streets and increase in drainage budget line. DISPOSITION = Resolution 6/18/07
332. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Request from the Town Forestry Department for further information regarding site plan for proposed T. O'Donnell Landscaping, south side of Walden Avenue, east of Ransom Road. DISPOSITION = Planning Committee
333. NYS DEC to Town Board -
Transmittal of information regarding management of local water supplies. DISPOSITION = Received & Filed
334. Town of Cheektowaga to Town Board -
Notice of Zoning Board of Appeals meeting to be held June 20, 2007, 7:00 PM regarding variance petition for property located at 5090 Genesee Street. DISPOSITION = Received & Filed
335. Town of Cheektowaga to Town Board -
Notice of Zoning Board of Appeals meeting to be held June 20, 2007, 7:00 PM regarding variance petition for property located at 41 Harvest Lane. DISPOSITION = Received & Filed
336. NYS DEC to Town Attorney -
Notification of lead agency designation regarding proposed Multi-Tenant Building, n.w. corner of William Street and Aurora Street; comments noted. DISPOSITION = Planning Committee
337. Erie County Division of Sewerage Management to Sewer District Manager -
Notice of acceptance of sewer facilities for Woodlands at Pleasant Meadows Subdivision. DISPOSITION = Planning Committee
338. Erie County Department of Environment & Planning to Supervisor -
Notice of waiver requests by Division of Sewerage Management for sewer connections in proposed Windsor Ridge South and Cross Creek Subdivisions. DISPOSITION = Planning Committee
339. James N. Tedisco, NYS Assembly Minority Leader to Supervisor -
Transmittal of information regarding and request for resolution supporting the New York State Property Taxpayer Protection Act. DISPOSITION = Received & Filed

340. NYS State Board of Real Property Services to Supervisor -
Notice of the establishment of a tentative 2007 State equalization rate for the town.
DISPOSITION = Received & Filed
341. Executive Director, Youth Bureau to Supervisor -
Request appointment of certain individuals to various positions in summer Youth
Bureau programs. DISPOSITION = Resolution 6/18/07
342. Highway Superintendent to Town Board -
Request to hire Timothy Salvatore as seasonal employee. DISPOSITION = Resolution
6/18/07

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL
MEMBER AMATURA AND CARRIED,** the meeting was adjourned at 9:33 P.M.

Signed 
Johanna M. Coleman, Town Clerk